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THE GENUINE

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HUGH WOOLAGHAN

YEOMAN,

BY A GENERAL COURT-MARTIAL,

HELD IN THE BARRACKS OF DUBLIN,

ON SATURDAY, OCTOBER 13, 1798,

FOR THE MURDER OF

THOMAS DOGHERTY.

TO WHICH IS ADDED,
HIS EXCELLENCY LORD CORNWALLIS'S ORDER FOR
THE COURT-MARTIAL TO BE DISSOLVED.

D U B L I N:

PRINTED FOR J. MILLIKEN, NO. 32, GRAFTON-STREET.

1798.

Feb

A S an incorrect and imperfect Copy of the Minutes of the GENERAL COURT MARTIAL, held at Dublin Barracks, on Saturday, the 13th of October, 1798, by Order of Lieut. Gen. CRAIG, has been printed, and has got into general Circulation; we think it a Duty we owe to the several Members who composed it, to give to the Publick, FROM AUTHORITY, the Proceedings, as they appear to have been minuted down by the proper Officer of the Court. We have annexed the different Exhibits alluded to in the Evidence, together with the Address of the Prisoner, and the Sentence of the Court Martial.—Spurious and garbled Accounts of the Proceedings of Courts are extremely hurtful to the Administration of publick Justice; and there is no more effectual Antidote to their Poison than the Publication of those that are Authentic and Genuine.

Rec. Jan 17, 1796

C O U R T M A R T I A L.

*Proceedings of a General Court Martial held in
the Barracks of Dublin, on Saturday, Oct. 13,
1798, by order of Lieut. Gen. Craig.*

Col. Earl of ENNISKILLEN, President.

Major Brown, R. I. D.

Capt. Onge, do.

Capt. Leslie, Fermanagh,

Capt. Irwine, R. I. D.

Capt. Carter, do.

Lieut. Summers, 68th.

Joseph Atkinson, Esq; D. J. Advocate,
and J. Martial.

THE Court being met and duly sworn, proceeded to the trial of Hugh Woolaghan, of Middleton, in the county of Wicklow, yeoman, charged with having on the 1st day of October inst. come to the house of Thomas Dogherty, and did then and there shoot and kill the said Thomas Dogherty, to which he was encouraged by Charles Fox and James Fox, of the aforesaid county, yeomen; and the said James Fox is also charged with having

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fired

fired a loaded gun at Margaret Barry, of Delgany, on the said 1st of October inst.

The prisoners being duly arraigned, pleaded not guilty.

Mary Dogherty of Delgany, in the county of Wicklow, sworn.

J. A.—Q. Do you know the prisoners at the bar?

A. I do. Deposeth, that on last Monday week, the prisoner, Hugh Woolaghan, came into her house at Delgany, and demanded to know if there were any bloody rebels there? that on the deponent's answering there were not, only a sick boy, the prisoner, Woolaghan, then asked the boy if he was Dogherty's eldest son; upon which the boy stood up, and told him he was; and that Woolaghan then said, Well, you dog, if you are, you are to die here; that the boy replied, No, I hope not. If you have any thing against me, bring me up to Mr. Latouche's, and give me a fair trial, and if you get any thing against me, give me the severity of the law; that Woolaghan then replied, No, you dog, I do not care for Latouche, you are to die here. Upon which deponent said to Woolaghan (he then having the gun cocked in his hand) For the love of God, spare my child's life and take mine; that Woolaghan replied, No, you bloody whore, if I had your husband here, I would give him the same death; and then snapped the gun, which did not go off; he snapped it a second time, but it did not go off; upon which a man of the name of Charles Fox

Fox (but not either of the two prisoners at the bar) came in and said, Damn your gun, there is no good in it; and that the said Fox, at the same time, observed to Woolaghan, That, that man (pointing to deponent's son) must be shot. That deponent then got hold of Woolaghan's gun, and endeavoured to turn it from her son; upon which the gun went off and grazed her son's body, and shot him in the arm; that the boy staggered, leaned upon a form, turned up his eyes and said, Mother, pray for me. That on Woolaghan's firing the gun, he went out of the door, and in a short time returned in again, and said, Is not the dog dead yet? That deponent replied, Oh yes, Sir! he is dead enough; upon which Woolaghan replied, For fear he is not, let him take this (firing at him again;) that deponent at the instant was holding up her son's head, when he fell and died.

J. A.—Q. Who was in the house at that time?

A. Esther Dogherty, sister to the deceased, was in the house when the first shot was fired, and then went away; another sister, Mary Dogherty, was in the house at the time Woolaghan first came in, but left it before he fired the gun. The prisoner, James Fox, the elder, was outside the door with a gun, but took no act or part, as I could see, in the business; of the other prisoner, James Fox, the younger, I have nothing to alledge against him.

Cross examined—Prisoner to Witness:

Q. Were not your husband and other son concerned in the rebellion?

A. I cannot

A. I cannot tell.

Q. Do not you believe your son was killed at Dunboyne fighting against the King's forces?

A. He was not, he is now alive working at his trade.

Q. Do not you believe your deceased son was a rebel, and engaged in the battle of Dunboyne against the King's forces?

A. I do not; but he has been accused of it.

Q. Did you ever hear that the deceased was taken prisoner as a rebel?

A. He was taken as a rebel, as I suppose, and was put on board a ship in the river, where he was sick, and was got off by Lord Cornwallis's orders through Mrs. Latouche, and afterwards put into the navy hospital.

Q. Do you recollect to have ever seen this paper before? (shewing the witness a manuscript song, which is a rebellious one.)

A. I never did, to the best of my knowledge. The paper was read in Court, and is as follows: The evidence again repeats that she never saw or heard it before.

Rouse, Hibernians, from your slumbers,
See the moment just at hand,
Imperious tyrants for to tumble,
Our French Brethren are at hand.

Vive la, united heroes,
Triumphant always may they be;
Vive la, our gallant brethren,
That have come to set us free!

Erin's

Erin's sons, be not faint-hearted,
 Welcome, sing then Ca Ira !
 From Killalla they are marching
 To the tune of Vive la.

Vive la, &c.

To arms quickly, and be steady,
 Join the ranks, and never flee ;
 Determined, stand by one another,
 And from tyrants you'll soon be free.

Vive la, &c.

Cruel tyrants, who oppress'd you,
 Now with terror see their fall ;
 Then bless the heroes who cast off you,
 The Orange now goes to the wall.

Vive la, &c.

Apostate Orange, why so dull now ?
 Self-will'd slaves, why do you frown ?
 Sure you might know how Irish freemen
 Soon would pull your Orange down.

Vive la, &c.

Q. Where is your husband, and how long has he been from home ?

A. He is now in Dublin, working at his trade of brogue-making ; but he was reaping at home at Delgany, about a month before this.

Court.—Q. When did you last see your son that you say is living ?

A. Three months ago, at Newtown Park, working at his trade of brogue-making.

Court.

Court.—Q. Did you ever hear of any quarrel or dispute between your son and the prisoner Woolaghan?

A. I never did.

Esther Dogherty sworn.

J. A.—Q. Do you know the prisoners at the bar?

A. I do.

J. A.—Q. Do you know any thing particular of any of them? and if you do, relate what you know to the Court?

A. I do. I know that Woolaghan shot my brother; and that he came to a house at Delgany last Monday was a week, between nine and ten o'clock in the morning, in which were my mother, brother, and three children; on Woolaghan's coming into the house, he asked, If there were any rebels there? my mother said, There were not. My brother was then standing behind my mother, and the prisoner said to him, Are you Harry Dogherty's eldest son? my brother said he was. Well, you dog, replied the prisoner, you are to die there. No, Sir, answered my brother, I hope not; and desired that the prisoner might take him up to Mr. Latouche, and give him a fair trial; the prisoner said he did not care for Latouche any more than for him; upon which Woolaghan snapped a gun at my brother, and it missed fire; he snapped it again, and it missed fire also; upon which one Charles Fox came in and said, Damp your gun, there is no good in it; and the said Fox said to Woolaghan, pointing over my mother's shoulder

shoulder at my brother—By God, that fellow must be shot! then Woolaghan snapt it a third time, and it went off, and shot my brother; but cannot say in what part, as I ran out frightened at what happened. As I was close at the jam of the door, I heard a second shot fired, and there was no one in the room to do it but Woolaghan, as Charles Fox had gone out before that second shot was fired. This witness deposeth, that James Fox, the elder, was standing against the church-wall, with a gun in his hand, three perches distant; but he never entered the house where my brother was, nor did he do any thing in the business.

As to the other prisoner, James Fox the younger, she has nothing to say against him, not having seen him there.

Cross Examined.—Prisoner to witness:

Q. Did you ever hear that your father and brother were accused of being rebels?

A. I never did.

Q. Did you ever hear your other brother was killed at Dunboyne?

A. I did; but I know he is safe and well, as I heard from him on Thursday last.

Q. Did you ever hear your deceased brother was at the battle of Dunboyne, or any other?

A. I never did.

Q. Where have you and your mother lived since the rebellion began?

A. In Delgany.

Q. Did

Q. Did your mother ever leave Delgany during the last four months ?

A. Never, except when she came to town.

Q. How often did she come to town during that time, and upon what business ?

A. Once, as she heard my deceased brother was working at the market-house.

Q. Did I leave the cabbin between the first and second shot ?

A. You did.

Q. How long did you remain outside the door when you say you went there ?

A. Between three and four minutes.

Q. Did you hear that your deceased brother was taken up for a rebel ?

A. I did.

Q. How long was it between my going out and returning into the cabbin ?

A. About three minutes.

Q. When did you last see your living brother ?

A. About five or six weeks ago at Delgany ; my mother also saw him at the same time, in my father's house.

J. A.—Q. You say you saw Woolaghan go out of the house, did you see him re-enter it ?

A. I did.

J. A.—Q. How came your brother to be released after he was taken up ?

A. By the interference of Mrs. Latouche with the Lord Lieutenant.

Margaret

Margaret Barry being called upon and duly sworn—

Informed the Court, that she had nothing to say against James Fox, or any of the prisoners at the bar.

*The Prosecution being closed, and the prisoner, Hugh Woolaghan, being called upon for his defence—
called on Richard Byrne, a private in the Wallace Fencibles, who was duly sworn.*

Prisoner to witness :

Q. Did you know the deceased, Thomas Dogherty, his father and brother ?

A. I did.

Q. Have you any, and what, reason to think they were rebels, and did you see any of them exercise as such ?

A. Yes. I have seen them exercise with poles or pikes at Mr. Johnson's fields at Killincarrig, four miles beyond Bray, in the beginning of last Spring.

Q. Did any of them, and which of them, apply to you to join them as rebels ?

A. Thomas Dogherty, the man that is dead, asked me, Why I was not in among the body ? What body ? said I ; upon which he said I leave you as you are.

Q. Where did you find this paper ? (alluding to the rebellious song.)

A. This paper came out of the pocket of Dogherty's mother, in the church-yard at Delgany, the

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day

day on which the coroner's inquest sat on the body of her deceased son, and I picked it up, conceiving it to be a bank note; but finding there was no stamp on it, I shewed it to a friend, as I cannot read myself, and he told me it was a damned good thing; and the first time I saw Captain Gore, who commands the Newtown Mountkennedy yeomen, I gave it to him.

J. A.—Q. When did you give it to him?

A. This day.

Q. Where do you live?

A. This month past at the Rendezvous-house, Cavan-street, where I have been since I listed, except the time I went to Delgany.

Q. Where did you live before?

A. At Killincarrig, as servant to a widow, and I was there near ten months.

Q. How far is Killincarrig from Delgany?

A. About half-a-mile.

Captain Gore was called and sworn,
Who deposeth that he got the paper alluded to, from the witness Byrne.

Edward Weyman, a private in the Newtown Mountkennedy corps, was sworn.—Prisoner to witness:

Q. Did you know the Doghertys, and were any and which of them reputed rebels?

A. I did, and the three were reputed such.

Q. Did

A. Did the mother of the deceased give you any furniture to keep, and what expressions did she make use of on the occasion?

Q. She did. She sent her daughter to me just after the Ancient Britons had been at Delgany, requested she might leave some leather and other articles in a sack at my house, which I consented to, and she sent them accordingly, and I kept them. About a month after the action at Mountkennedy she offered them to me for sale; and when I pointed out the mischief that arose from the rebellion, she, with her lifted-up hands, cursed the authors of it, and said, that it brought ruin on herself and family; and that she had not seen her husband or sons for some time back. This conversation took place some time about the beginning of June.

The prisoner requested the indulgence of the Court until Monday next, to proceed with his defence, and the Court adjourned accordingly.

Monday the 15th of October, the Court met pursuant to adjournment.

Thomas Vicars, Esq. sworn.—Prisoner to witness:

Q. Do you know how and by what means Thomas Dogherty was liberated, and returned to the County of Wicklow, and for what he had been confined?

A. I understood that he had been in arms against the King's forces at Nedstown, county Westmeath, was tried by a Court Martial, and was sent to one
of

of the guard-ships in the river Liffey, to be transported; but to my knowledge, by the intervention of Mrs. Latouche to Mr. Cook and General Craddock, he was liberated.

Q. Do you know if Dogherty had any protection, and from whom?

A. I do not know that he had, nor did I ever hear of his having one.

Q. Do you know if he took the oath of allegiance after he was liberated?

A. I do not know that he ever did.

Court.—Do you know if he had been guilty of any act of rebellion since his release?

A. I do not know of any.

Isaac Sutton of Rathdrum, sworn.

Prisoner.—Q. Did you know the late Thomas Dogherty?

A. I did know him. I was taken prisoner by the rebels, near Roundwood, county Wicklow, about the month of May last; and he was one of the guard over me, for I heard his name called—Thomas Dogherty; and he answered to the name, and that he was a brogue-maker at Delgany.

Q. Did you know Dogherty before you were taken prisoner, or did you see him since you got away from the rebels?

A. No.

Q. How do you know it was the same Thomas Dogherty that was shot?

A. It

A. It struck me it was the same, when I heard of his death; but I do not know that it was the same.

George Kelly, corporal of the Newtown Mountkennedy yeomen, sworn.

Prisoner—Q. Do you know Captain Armstrong, in what district did he command, and do you know of any general orders issued by him at any time, and when, relative to shooting rebels? What were those orders, and when were they given?

A. I do. I know Captain Armstrong of the King's-county Militia, who commanded at Mountkennedy, before and after Thomas Dogherty was shot, in consequence of the enormities and murders committed in that neighbourhood, by day and night.

The general orders given by him, were, that any body of yeomen going out, he would wish them not less than nine or ten in number, for their own safety; should they meet with any rebels, whom they knew, or suspected to be such, that they need not take the trouble of bringing them in, but to shoot them on the spot.—This order was before Dogherty was killed. The witness communicated this to the corps, and is very certain, in the hearing of the prisoner Woolaghan.

J. A.—Q. Do you know of any party of your corps being ordered out on the first of October last,
for

for the purpose you mention; and by whose orders they went out on that day?

A. I do not recollect any thing about it, as I was confined to my bed on that day.

Prisoner—Q. Do you know me? What is my general character, as to sobriety and regularity in the corps?

A. I have known you upwards of three months, in the corps, and I have known you during that time to be a sober, faithful, and loyal yeoman; and not degrading the rest of the corps, one of the best in it.

Q. Was it not the practice of the corps to go out upon scouring parties, without orders, to protect their own property, and that of their neighbours?

A. I always looked upon it as an order and practice of the corps, particularly after what Captain Armstrong had mentioned.

Court. What was Thomas Dogherty's character in the country?

A. He was always considered as a rebel.

Q. Would you yourself, from this character, and the orders you received, have thought yourself justified to shoot him?

A. Yes, I certainly would.

Q. In any parties you have been with the prisoner, did you ever see him commit any acts of cruelty, or shew any inclination to it?

A. No. I never saw him do any thing but what was his duty.

John

*John Fox, of the Newtown Mount-Kennedy Yeomen,
sworn.*

1st Question from prisoner to Fox, as to Kelly.
Do you know Captain Armstrong? &c. &c.

A. I do; he commanded at Newtown Mount-Kennedy, and the orders he gave me were, That when I and my brother soldiers went out and saw any rebels, or any we suspected to be such, to shoot them; and those orders were mentioned before Thomas Dogherty was killed.

2d Question as to Kelly. Do you know of any party? &c. &c.

A. I was not of the party, nor do I know of any particular orders on that day.

3d Question as to Kelly. Was it not the practice? &c. &c.

A. By all means.

4th Question as to Kelly. What was Thomas Dogherty's character in the country?

A. Himself, his father and brother, were considered as rebels, and I would make no scruple of shooting fifty like them if I met them as such.

Prisoner.—Q. From the orders you mention to have received, would you have thought yourself justified in shooting them?

A. I would.

Q. In any parties you have been on with the prisoner, did you ever see him commit any acts of cruelty, or an inclination to do it?

A. No;

A. No; and in my opinion the prisoner is a good and loyal subject, and would go any lengths to beat his Majesty's enemies.

Q. Did you know of any other Tho. Dogherty in the county?

A. I did not.

Q. Did you ever know or hear of any quarrel or grudge between the prisoner and the late Thomas Dogherty?

A. Never.

Q. Do you know that Dogherty's father is now with the rebels?

A. I cannot swear that he is, but I have heard and believe he is.

Serjeant Nathaniel Heyes, of the Newtown-Mount-Kennedy Yeomen, sworn,

Who deposeth, That he has known the prisoner four months in the corps, that he has always behaved as a sober, loyal, brave man, and a good subject.

Q. Do you know of any general orders issued to your corps, and by whom?

A. I do. Captain Armstrong of the King's County Militia, said, in my hearing, that he would shoot or hang any rebels whom he suspected, and told the people under his command to do the same. This order was issued before Thomas Dogherty's death, and I should consider myself authorised to do so under that order.

Lieutenant

Lieutenant W. Tomlinson, of the Rathdrum Yeomen Cavalry, sworn.

Prisoner.—Q. What were the orders issued to your corps, and those in your vicinity, respecting the rebels?

A. It was generally understood that orders were given to the corps, not to bring in any prisoners, but to shoot any that were known to be rebels.

Q. Do you recollect when those orders were understood to have come out, and by whom they were issued?

A. I do not know who they came from, but they came out after the attack at Arklow.

Lieutenant George Audaun, of the Mount-Kennedy Yeomen, sworn.

Deposeth, That he has known the prisoner particularly upwards of ten years; that he has been four months in the corps; and that he is a good and loyal subject, and a good yeoman, and ready at all hours to do his duty for his King and Country, and that he never knew him cruel; on the contrary, never saw him act with inhumanity; that since the death of Dogherty, he attended parade and did his duty as before, until he was apprehended, about a week ago, on this charge.

Captain Archer, of the Mount-Kennedy Yeomen, sworn.

Deposeth, That he has known the prisoner since he was a child; that he has worked for him in his

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profession

profession as a mason, and always found him a sober, diligent man; and since he has been a yeoman, he was always ready to obey the orders of his officers, by day and by night; and that he knew him to be a good and loyal subject, and looked upon him as an acquisition to the corps; and that the prisoner, after the death of Dogherty, regularly attended parade, and did his duty, till apprehended a week ago for this charge.

Lieutenant Richard Gore, of the same Corps, sworn.

Deposeth, That he has known the prisoner since the attack of Newtown, and that he has always been obedient to orders as a yeoman, and rather leaned to the side of Mercy, than otherwise, and that part of the corps having marched up the country against the rebels, with the Ray Fencibles, the prisoner particularly shewed his promptitude, zeal and courage on that occasion; that it has been the practice of the corps to go out to protect themselves and the property of their well-affected neighbours.

Captain Gore was called, who was already sworn.

Who deposeth, that he had known him, the prisoner, about four months, when he offered himself to be of the corps; saying, that he had belonged formerly to another corps, from which he brought an excellent character, and that he was one of the best attendants on his duty as a yeoman. That deponent knew him to be a loyal and brave soldier,
and

and never knew him guilty of any act of inhumanity; and that it was the practice of the corps, to scour the country without any officer. And deponent verily believes, they understood it was their duty, to shoot any rebels they met with, or suspected to be such: And the deponent has heard, that the other corps had similar directions, in other districts.

The Prisoner informed the Court, that he had more evidence to produce to the same purport, if thought necessary. The prisoner closed his defence by handing his address, which was read in Court, and is as follows:

I have always been, and ever shall be, to the last moment of my life, a faithful and zealous friend to the King and Constitution of my country; every thing like treason or disloyalty, filled my mind with indignation and abhorrence. I quitted a yeomanry corps some months ago, because it was disaffected; though I materially injured my private interest by doing so. And when I beheld a desperate rebellion burst forth, marked in its progress by every species of savage outrage and cruelty, it would not be wonderful if my anxiety to suppress it, should have hurried me farther than strict propriety, at a different period, would warrant. I need not remind this honourable Court, that at such a time, when every loyal man in the country, and more especially in the country where
I happened

I happened to reside, was likely to be the victim of the disaffected; it was not possible to behold those concerned in the rebellion, who were lurking about, and watching for opportunities to renew it, without feeling a degree of resentment, which, perhaps, could not be justified in less agitated times. It is admitted, on all hands, that the deceased and his family, were notorious rebels. It appears, that the deceased fought with the rebels, against the King's forces; he returned to the County of Wicklow, without a Protection, and without taking the oath of Allegiance; and it is certain, that, at the very time he lost his life, he was watching for an opportunity to join the rebels again. As to the mode of his death, and the aggravated circumstances alledged to have attended it, they are proved by persons to whom the Court will hesitate to give implicit credit. I abhor wanton Cruelty as much as I detest Disloyalty. The mother of the deceased gave her evidence in a manner highly suspicious, and palpably contradicted herself in two or three instances. She denied having ever seen the written paper produced to her, and yet it was proved to have come out of her pocket, so that she is not that kind of witness upon whose testimony the life of any man should be forfeited; and I trust the Court cannot credit it in the extent to which she gave it. At all events, the paper found upon her, and the circumstances of the deceased's return to the country shew, that he and his family
were

were active after his return, in promoting Disaffection and Rebellion.

As to the evidence of the deceased's sister, she did not alledge that she saw the second shot fired, so that the charge depends entirely on the evidence of the mother. My character for Loyalty and Attachment to the Government stands unimpeached, and has been proved by respectable witnesses; it appears, that I am a yeoman belonging to a corps noted for its loyalty. I was bound to act under the orders of the commanding officer of the district. The orders issued by Captain Armstrong, the commanding officer, forbid any rebels to be taken prisoners, and directed all who were met with to be shot by the different scouring parties; the deceased was universally known to be an active and dangerous rebel; he and his family were fomenting disturbances in the country at the very time he lost his life, as appears by the paper produced; and his return to the country, without a protection, and the evidence of George Kelly and John Fox is, that they considered the deceased a person that they would have been authorised in shooting him under the orders of the commanding officer. I have only to add, that whatever I have done, I never considered myself as transgressing the bounds of my duty; the desperate situation of the country required strong exertions, in order to prevent the triumph of Disaffection over Loyalty. The commanding officer saw the necessity of vigorous orders,
and

and therefore issued them ; I did nothing that I did not conceive to be justified by those orders. I had no private malice against the deceased ; and it appears by the evidence, that I did not even know him by sight. It has been proved that my conduct in the corps has been sober, regular and correct ; and that I never shewed a blood-thirsty or cruel disposition. I never acted but under orders which I conceived it my duty to obey, and was influenced by no motive but my anxiety to do my duty, and to preserve my own life and property, and the lives and properties of my neighbours. I leave my case to God and this honourable Court ; and I trust, that neither the evidence that has been given in support of the prosecution, nor the persons who gave it, are sufficient to induce the Court to find me guilty, particularly after the evidence given by the persons produced as witnesses in my defence.

The Court called on Brigade Major Sandys, to know if he had in his possession, the Original Proceedings of a General Court Martial, at which Thomas Dogherty was tried, for being a rebel ; and he, being duly sworn, produced to the Court, the Original Proceedings, which, he deposeth, were officially lodged with him by Lieutenant-General Craig ; and the Copy of the Charge, and the Sentence of the Court Martial, is hereunto annexed.

SENTENCE.

S E N T E N C E.

The Court having taken into consideration the evidence adduced on the trial of Hugh Woolaghan, of the Newtown Mountkennedy yeomanry, find, that he did shoot and kill Thomas Dogherty as a Rebel; but do acquit him of any malicious, or wilful intention of Murder.

ENNISKILLEN, President.

JOSEPH ATKINSON,
D. J. Advocate.

An Extract taken from the Proceedings of a General Court Martial, assembled at Slane, on Thursday the 18th of July, 1798. By order of Brigadier General Meyrick, commanding officer of that district, on sundry persons, of which the late Thomas Dogherty, was one, viz.

CAPTAIN LAMBART, PRESIDENT.

Members,

CAPT. GETHIN,	LIEUT. BLAKENEY,
LIEUT. SILLERY,	LIEUT. COLELLO.

The King against,

C H A R G E.

Anthony Kavanagh
 Peter Kirwan
 Matthew Byrne
 Bryan Byrne
 Thomas Dogherty
 Luke Riely
 John Flynn
 Thomas Magrane
 Thomas Farrell
 James Tongne
 Daniel Hanlon
 Charles Byrne
 Patrick Byrne
 Michael Byrne
 Michael O'Neil
 Philip Carney.

YOU, and each of you, stand here charged with waging War against our Sovereign Lord the King and his liege Subjects, with an intent to overturn our happy Constitution; and that you, with several others, were in Arms, and did oppose his Majesty's Forces.

The Prisoners severally pleaded not guilty.

S E N T E N C E.

The Court are of opinion, that the prisoner, Thomas Dogherty, is guilty of the charge laid against him, and do therefore sentence him to suffer Death.

Approv'd:

Signed MEYRICK,
 Brig. General,

Signed,

G. LAMBART, President.

Dublin Castle, 18th October, 1798.

SIR,

HAVING laid before the Lord Lieutenant the proceeding of a General Court-martial, held by your orders in Dublin Barracks, on Saturday the 13th inst. of which Col. the Earl of Enniskillen is President, I am directed to acquaint you, that his Excellency entirely disapproves of the Sentence of the above Court Martial, acquitting Hugh Woolaghan of a cruel and deliberate murder, of which, by the clearest evidence, he appears to have been guilty.

Lord Cornwallis orders the Court Martial to be immediately dissolved—and directs, that Hugh Woolaghan shall be dismissed from the corps of yeomanry in which he served, and that he shall not be received into any other corps of yeomanry in this kingdom.

His Excellency further desires that the above may be read to the President and Members of the Court Martial in open Court.

I have the honour to be,

Sir,

Your most obedient, humble servant,

H. TAYLOR, Sec.

Lieutenant General Craig, &c. &c.

P. S. I am also directed to desire, that a new Court Martial may be immediately convened for the trial of such prisoners as may be brought before them—and that none of the Officers who sat upon Hugh Woolaghan, be admitted as Members.

Ex. A. L. P.
2/16/06